

Conference Engrossed

**FILED**

**JANICE K. BREWER  
SECRETARY OF STATE**

State of Arizona  
Senate  
Forty-seventh Legislature  
Second Regular Session  
2006

CHAPTER 375

## **SENATE BILL 1512**

AN ACT

AMENDING TITLE 15, CHAPTER 9, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-1044; AMENDING TITLE 41, CHAPTER 27, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-3016.01; MAKING AN APPROPRIATION; RELATING TO COMPUTER-BASED EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 9, article 8, Arizona Revised Statutes,  
3 is amended by adding section 15-1044, to read:

4 15-1044. Arizona e-learning task force; duties

5 A. THE ARIZONA E-LEARNING TASK FORCE IS ESTABLISHED. THE TASK FORCE  
6 SHALL CONSIST OF THE FOLLOWING MEMBERS WHO SHALL BE APPOINTED ON OR BEFORE  
7 AUGUST 31, 2006:

8 1. TWO REPRESENTATIVES OF THE BUSINESS COMMUNITY WITH EXPERTISE IN  
9 TECHNOLOGY ISSUES, ONE OF WHOM SHALL BE APPOINTED BY THE GOVERNOR AND ONE OF  
10 WHOM SHALL BE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

11 2. TWO PERSONS WHO SHALL HAVE A BACKGROUND IN PSYCHOMETRICS, ONE OF  
12 WHOM SHALL BE APPOINTED BY THE PRESIDENT OF THE SENATE AND ONE OF WHOM SHALL  
13 BE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

14 3. TWO PERSONS WHO HAVE EXPERTISE IN CURRICULUM DEVELOPMENT, ONE OF  
15 WHOM SHALL BE APPOINTED BY THE GOVERNOR AND ONE OF WHOM SHALL BE APPOINTED BY  
16 THE PRESIDENT OF THE SENATE.

17 4. ONE TEACHER WHO PROVIDES INSTRUCTION IN GRADE SIX, SEVEN, EIGHT OR  
18 NINE IN A PUBLIC, PRIVATE OR CHARTER SCHOOL AND WHO IS APPOINTED BY THE  
19 SPEAKER OF THE HOUSE OF REPRESENTATIVES.

20 5. ONE PERSON WHO REPRESENTS A PUBLIC, PRIVATE OR CHARTER SCHOOL THAT  
21 PROVIDES INSTRUCTION IN GRADE SIX, SEVEN, EIGHT OR NINE AND WHO IS APPOINTED  
22 BY THE GOVERNOR.

23 6. ONE PERSON WHO REPRESENTS AN ENTITY THAT HAS AT LEAST TEN YEARS OF  
24 EXPERIENCE IN TEACHER TRAINING AND PROFESSIONAL DEVELOPMENT COURSEWORK AND  
25 THAT HAS PROVIDED SUCH TRAINING AND COURSEWORK TO AT LEAST FIVE THOUSAND  
26 TEACHERS AND WHO IS APPOINTED BY THE PRESIDENT OF THE SENATE.

27 7. THE SUPERINTENDENT OF PUBLIC INSTRUCTION OR THE SUPERINTENDENT'S  
28 DESIGNEE.

29 8. THE DIRECTOR OF THE GOVERNMENT INFORMATION TECHNOLOGY AGENCY OR THE  
30 DIRECTOR'S DESIGNEE.

31 B. THE TASK FORCE SHALL ANNUALLY ELECT A CHAIRPERSON FROM AMONG THE  
32 MEMBERS OF THE TASK FORCE. THE DEPARTMENT OF EDUCATION SHALL PROVIDE STAFF  
33 SUPPORT FOR THE TASK FORCE.

34 C. THE INITIAL MEMBERS APPOINTED PURSUANT TO SUBSECTION A, PARAGRAPHS  
35 1 THROUGH 6 SHALL ASSIGN THEMSELVES BY LOT TO TERMS OF ONE, TWO AND THREE  
36 YEARS IN OFFICE. ALL SUBSEQUENT MEMBERS APPOINTED PURSUANT TO SUBSECTION A,  
37 PARAGRAPHS 1 THROUGH 6 SERVE THREE YEAR TERMS. THE CHAIRPERSON SHALL NOTIFY  
38 THE APPOINTING AUTHORITY OF THESE TERMS.

39 D. THE TASK FORCE SHALL:

40 1. EXAMINE E-LEARNING PROGRAMS IN OTHER STATES.

41 2. ANALYZE POTENTIAL METHODS TO IMPLEMENT E-LEARNING PROGRAMS IN THIS  
42 STATE.

43 3. DEVELOP INNOVATIVE E-LEARNING SOLUTIONS.

44 4. ANNUALLY REPORT TO THE LEGISLATURE REGARDING E-LEARNING PROGRAMS  
45 AND SOLUTIONS.

1 E. TASK FORCE MEMBERS ARE NOT ELIGIBLE FOR COMPENSATION, BUT TASK  
2 FORCE MEMBERS WHO ARE APPOINTED PURSUANT TO SUBSECTION A, PARAGRAPHS 1  
3 THROUGH 6 ARE ELIGIBLE FOR REIMBURSEMENT OF EXPENSES PURSUANT TO TITLE 38,  
4 CHAPTER 4, ARTICLE 2 FROM MONIES APPROPRIATED TO THE DEPARTMENT OF EDUCATION.

5 Sec. 2. Title 41, chapter 27, article 2, Arizona Revised Statutes, is  
6 amended by adding section 41-3016.01, to read:

7 41-3016.01. E-learning task force; termination July 1, 2016

8 A. THE E-LEARNING TASK FORCE TERMINATES ON JULY 1, 2016.

9 B. SECTION 15-1044 IS REPEALED ON JANUARY 1, 2017.

10 Sec. 3. E-learning pilot program

11 A. The department of education, in cooperation with the e-learning  
12 task force established by section 15-1044, Arizona Revised Statutes, as added  
13 by this act, shall establish an e-learning pilot program at up to ten  
14 schools.

15 B. On or before December 15, 2006, the e-learning task force, in  
16 cooperation with the department of education, shall prepare an actionable  
17 request for proposals to implement a three-year e-learning pilot program to  
18 help participating schools to achieve academic and motivational gains based  
19 on the state and national average and shall submit the preliminary request  
20 for proposals to the joint legislative budget committee for review and  
21 comment. The request for proposals shall require all responses to meet the  
22 government information technology agency standards. The request shall  
23 include:

24 1. The scope of work, including programmatic, performance and  
25 technical requirements, conceptual design, specifications and functional and  
26 operational elements for the delivery of the completed components of the  
27 pilot program.

28 2. A description of the qualifications required of the entity or group  
29 of entities that will be selected for the pilot program.

30 3. Copies of the contract documents that the successful bidder or  
31 group of bidders will be expected to sign.

32 4. A timeline for the design and completion of the pilot program.

33 5. The estimated cost of the components of the pilot program.

34 6. Any other information relevant to the pilot program.

35 C. Based on the comments received from the joint legislative budget  
36 committee, the task force shall finalize the request for proposals and the  
37 department of education shall issue the finalized request for proposals  
38 within thirty days after the hearing conducted by the joint legislative  
39 budget committee.

40 D. The department of education shall award a contract or contracts  
41 within one hundred eighty days after the issuance of the finalized request  
42 for proposals.

43 E. At least ten days before the department of education enters into a  
44 contract or contracts that result from the request for proposals, the  
45 superintendent of public instruction shall submit the provisions of the

1 contract or contracts for review by the joint legislative budget committee in  
2 executive session.

3 F. The overall e-learning system shall be implemented through a  
4 three-year pilot program by an entity or a group of entities that delivers  
5 the following elements:

6 1. Program management by an organization that is capable of each of  
7 the following:

8 (a) Delivering reliable psychometric analysis of academic gains.

9 (b) Evaluating coursework for alignment with the academic standards  
10 adopted by the state board of education.

11 (c) Performing reliability analysis of electronic systems delivering  
12 coursework and assessments.

13 (d) Analysis and direction towards system improvements.

14 (e) Delivering monthly reports on the performance of the system and  
15 directing any corrective steps required to achieve success.

16 2. A central delivery or supporting system with the ability to deliver  
17 course work to fifty thousand students simultaneously at the highest  
18 reliability level both at home and at school.

19 3. Mathematics instruction through a digital curriculum system with  
20 coursework and assessments that are aligned with the academic standards  
21 adopted by the state board of education. The assessments shall provide  
22 formative and cumulative assessments aligned with the coursework, and shall  
23 provide percentile rank, grade level and scale scores on the Arizona  
24 instrument to measure standards test at the individual, classroom and school  
25 level on a real-time basis. The scale score reports on the Arizona  
26 instrument to measure standards test shall be on the same scale as the  
27 passing scale score for a high school diploma in this state. The entity or  
28 group of entities delivering the assessments shall be able to show that the  
29 entity or group of entities are capable of delivering these assessments with  
30 computer adaptive testing.

31 4. Lap-top technology to teachers and students involved in the pilot  
32 program.

33 5. Teacher training and professional development coursework and  
34 assessment. The teacher development and training shall be delivered by an  
35 entity or group of entities that has experience providing teacher training  
36 and professional development coursework and shall include both initial and  
37 ongoing components. The coursework shall include strategies and techniques  
38 to successfully integrate technological and digital resources into the daily  
39 work of students.

40 G. After the department of education and the e-learning task force  
41 have awarded a contract to the entity or group of entities that will  
42 implement the e-learning pilot program, the department of education, in  
43 cooperation with the e-learning task force, shall establish application  
44 procedures and additional selection criteria for schools that wish to apply  
45 for participation in the pilot program. The pilot program shall be conducted

1 at up to ten schools that provide instruction in any two grades consisting of  
2 grade six, seven, eight or nine. Pupils in preschool programs, kindergarten  
3 programs, grades one through five and grades ten, eleven and twelve are not  
4 eligible to participate in the pilot program. These schools shall be able to  
5 demonstrate that the teachers who will participate in the pilot program are  
6 committed to the pilot program. The affected teachers shall complete the  
7 initial training and professional development component of the pilot program  
8 by the end of the fall semester of 2007.

9 H. In cooperation with the e-learning task force, the department of  
10 education shall submit a report on or before November 15, 2010 to the  
11 governor, the president of the senate and the speaker of the house of  
12 representatives that summarizes the results of the pilot program. The  
13 academic effectiveness of pupils in the pilot program shall be measured  
14 according to the existing assessment mechanisms prescribed in title 15,  
15 Arizona Revised Statutes. The department of education shall provide a copy  
16 of this report to the secretary of state and the director of the Arizona  
17 state library, archives and public records.

18 I. Schools and pupils that participate in the technology assisted  
19 project-based instruction program established pursuant to section 15-808,  
20 Arizona Revised Statutes, are not eligible for participation in the pilot  
21 program.

22 Sec. 4. E-learning fund

23 The e-learning fund is established consisting of monies appropriated by  
24 the legislature and monies received from any other public and private  
25 sources. The department of education shall administer the fund, subject to  
26 the direction of the e-learning task force.

27 Sec. 5. Delayed repeal

28 Sections 4 and 5 of this act, relating to the e-learning pilot program  
29 and the e-learning fund, are repealed from and after August 31, 2011.

30 Sec. 6. Appropriation; department of education; e-learning  
31 pilot program; exemption

32 A. The sum of \$3,000,000 is appropriated from the state general fund  
33 to the department of education in fiscal year 2006-2007 to carry out the  
34 e-learning pilot program established by this act. The department of  
35 education may distribute the monies appropriated in this section in fiscal  
36 years 2006-2007, 2007-2008, 2008-2009 and 2009-2010.

37 B. The appropriation made in subsection A of this section is exempt  
38 from the provisions of section 35-190, Arizona Revised Statutes, relating to  
39 lapsing of appropriations.

40 C. The department of education may retain up to five per cent of the  
41 monies appropriated pursuant to subsection A of this section for  
42 administrative costs of the department in connection with the e-learning  
43 pilot program, to provide technical assistance to schools that participate in  
44 the pilot program.